

# **Knightsen Town Advisory Council**



**Andrew Steudle, Chair**

**Office of Supervisor Diane Burgis  
Contact: Lea Castleberry  
3361 Walnut Blvd., Suite 140  
Brentwood, CA 94513  
925-252-4500**

Andrew Steudle, Chair  
Karen Reyna, Vice Chair  
Kim Carone, Councilmember  
Maria Jehs, Councilmember  
VACANT SEAT

*The Knightsen Town Advisory Council serves as an advisory body to the  
Contra Costa County Board of Supervisors.*

## **Knightsen TAC AGENDA**

**Tuesday, June 15, 2021  
7:30p.m.**

*To slow the spread of COVID-19, the Contra Costa County Health Officer's Shelter Order prevents public gatherings. In lieu of a public gathering, the Knightsen Town Advisory Council Meeting will be accessible via teleconference to all members of the public as permitted by the Governor's Executive Order N-29-20.*

**Board meetings can be accessed via Zoom:**

<https://cccouny-us.zoom.us/j/2830849836>

**or**

**Dial In: (888) 278-0254  
Conference code: 142291**

**To access the full agenda packet, please visit:**

<https://www.contracosta.ca.gov/AgendaCenter/ViewFile/Agenda/3523?html=true>

The Knightsen Town Advisory Council will provide reasonable accommodations for persons with disabilities planning to attend the meeting. Please contact Lea Castleberry at least 72 hours before the meeting at (925) 252-4500.

Materials distributed for the meeting are available for viewing at the District III Brentwood Office.

**1. Call to Order/Roll Call**

**2. Approval of Agenda**

**3. Public Comment (3 minutes per speaker)** *Time is allotted under Public Comment for those persons who wish to speak for up to three minutes on any item NOT on the agenda. Persons who wish to speak on matters on the agenda will be heard for up to three minutes when the Chair calls for comments. After persons have spoken on an agenda item, the hearing can be closed by the Chair and the matter is subject to discussion and action by the TAC. Persons wishing to speak are requested to fill out a speaker card.*

**4. Agency Reports**

- a. Contra Costa Sheriff's Department
- b. California Highway Patrol
- c. East Contra Costa Fire Protection District
- d. Knightsen Community Services District
- e. Office of Supervisor Diane Burgis

**5. Consent Items**

*All matters listed under Consent Items are considered by the TAC to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the TAC or a member of the public prior to the time the TAC votes on the motion to adopt.*

- a. APPROVE Draft Record of Actions – May 18, 2021

**6. Presentations**

- a. None.

**7. Items for Action and/or Discussion**

- a. Downtown Knightsen Beautification (*Chair, Andrew Steudle*)
- b. Discuss ideas for future community events

**8. Committee Reports/Member Reports**

- a. Code Enforcement

**9. Correspondence (R= Received S=Sent)**

- a. R-05/12/21 County Zoning Administrator Agenda for May 17, 2021
- b. R-05/17/21 Letter from Wayne and Lori Abreu
- c. R-06/01/21 Revised County Zoning Administrator Agenda for June 7, 2021
- d. R-06/06/21 Letter from Paul Kunkel and Trish Bello-Kunkel
- e. R-06/04/21 County Planning Commission Agenda for June 9, 2021
- f. R-06/09/21 County Zoning Administrator Agenda for June 21, 2021

**10. Future Agenda Items**

**11. Adjourn**

# Knightsen Town Advisory Council



Andrew Steudle, Chair

Office of Supervisor Diane Burgis  
Contact: Lea Castleberry  
3361 Walnut Blvd., Suite 140  
Brentwood, CA 94513

Respectfully submitted by:  
Deputy Chief of Staff, Lea Castleberry

*The Knightsen Town Advisory Council serves as an advisory body to the  
Contra Costa County Board of Supervisors and the County Planning Agency.*

## **Draft Record of Actions**

**7:32 p.m.**

**May 18, 2021**

**MEMBERS PRESENT:** Chair Andrew Steudle, Vice Chair Karen Reyna, Councilmember Kim Carone, and Councilmember Maria Jehs.

**MEMBERS ABSENT:**

**APPROVAL OF AGENDA:** Motion to approve the agenda as presented made by Steudle. Second made by Carone. Motion carried: 4-0. AYES: Carone, Jehs, Reyna and Steudle.

**PUBLIC COMMENT:**

None.

**AGENCY REPORTS:**

- a. **East Contra Costa Fire Protection District:** Battalion Chief Ross Macumber provided the activity report for the month of April. Director Steve Smith provided an update on the East Contra Costa Fire Board policies and activities.

**Public Comment:**

Al Bellow – Brush piles; permit obstacles & fees.

- b. **Contra Costa County Code Enforcement:** Joe Losado provided an update on unpermitted events and hemp farms. The event on Quail Trail was diverted by County Code Enforcement and the Sheriff's Department. It's important for the community to inform Code Enforcement of major events before they happen so County can get ahead of the situation and check for compliance. Tranquility Bay Hemp Farm was issued a Field Notice to Comply for structures and electrical without permits. Notice to abate will be issued next. Orwood Hemp Farm is shutting down and relocating. Arabian Way Hemp Farm has removed their hoop tents and has been cited for barn conversion.

**Public Comment:**

Trish Bello-Kunkel – Property owners typically do not live on-site.

Gil Sommerhalder – Hemp/Cannabis farms are protected and nobody is going to stop them. Orwood permit has expired and trucks are still moving.

Chet Holm – Issues with event on Knightsen Avenue.

Al Bello – Growers get extensions and County gets money for extensions.

- c. **Office of the Sheriff:** Lt. Johnson provided the activity report for the month of April.

**Public Comment:**

Gil Sommerhalder – Are these reports normal?

- d. **California Highway Patrol:** No Report.

- e. **Knightsen Town Community Services District:** Chair, Trish Bello-Kunkel reported the preliminary budget was adopted on May 6<sup>th</sup> and a survey will be sent to the community on the future of the CSD.

- f. **Office of Supervisor Diane Burgis:** Lea Castleberry, Deputy Chief of Staff provided an update on the County Fireworks Ordinance; Sonja's restoration project went to Hearing; the Heritage Tree – arborist hired to view condition of the tree and determine next steps; Vasco Road guardrail repairs; and Covid.

**CONSENT ITEMS:**

- a. **Approval of the Record of Actions from February 16, 2021:** Motion to approve as presented made by Reyna. Second made by Carone. Motion carried: 4-0. AYES: Carone, Jehs, Reyna and Steudle.

This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2.205(d) of the Contra Costa County Ordinance Code.

## **PRESENTATIONS:**

- a. None

## **ITEMS FOR DISCUSSION AND/OR ACTION:**

- a. **Agency Comment Request CDLP21-02005:** Applicant requests approval for a Land Use Permit to allow the continued operation of an existing dude ranch/horse boarding facility. No new improvements proposed. Applicant, Christopher Manuel provided an overview of the horse boarding and riding lesson facility. Motion to approve Agency Comment Request CDLP21-02005 made by Carone. Second made by Steudle. Motion carried: 4-0. AYES: Carone, Jehs, Reyna and Steudle.

### **Public Comment:**

Trish Bello-Kunkel – Have neighbors been notified? How long has applicant been there and why permit now? Is the property fenced to protect animals? 10 structures on 11 acres seems a lot. There's a civil suit right now about flies and neighbors are concerned about it.

Chet Holm – where is the property located?

Gil Sommerhalder – boarding facilities attract flies

- b. **2021 Knightsen Community Clean-Up Day:** Motion for Saturday, September 11, 2021 as the Knightsen Community Clean-Up Day made by Steudle. Second made by Jehs. Motion carried: 4-0. AYES: Carone, Jehs, Reyna and Steudle.
- c. **Update on Downtown Knightsen Beautification:** Chair Steudle reported the stock tank and lights were installed and flowers going in next week.
- d. **Discuss ideas for future community events:** Carone discussed the Knightsen School Pool and the request for \$80K to keep the pool viable for the kids. Would like to see KTAC partner with the community and school to help raise funds. On May 27<sup>th</sup> Mod Pizza will be hosting a fundraiser and giving 20% of their proceeds for the day back to the school by customers using a special code or online code. Knightsen School is also hosting Corn Dog Tuesdays to raise funds.

## **COMMITTEE REPORTS/MEMBER REPORTS**

- a. **Code Enforcement:** Carone discussed special event process.

## **CORRESPONDENCE/ANNOUNCEMENTS**

- a. R-02/11/21 County Zoning Administrator Agenda for February 17, 2021
- b. R-02/11/21 County Planning Commission Cancellation Notice for February 24, 2021
- c. R-02/22/21 County Zoning Administrator Agenda for March 1, 2021
- d. R-03/03/21 Letter from Knightsen Resident
- e. R-02/23/21 County Planning Commission Cancellation Notice for March 10, 2021
- f. R-03/10/21 County Zoning Administrator Agenda for March 15, 2021
- g. R-03/12/21 Notice of Public Hearing for March 24, 2021
- h. R-03/17/21 County Planning Commission Agenda for March 24, 2021
- i. R-03/26/21 Letter from Diablo Water District
- j. R-03/30/21 County Zoning Administrator Agenda for April 5, 2021
- k. R-04/07/21 County Planning Commission Cancellation Notice for April 14, 2021
- l. R-04/15/21 County Zoning Administrator Agenda for April 19, 2021
- m. R-04/23/21 County Planning Commission Agenda for April 28, 2021
- n. R-04/29/21 County Zoning Administrator Agenda for May 3, 2021
- o. R-05/05/21 County Planning Commission Agenda for May 12, 2021
- p. R-05/04/21 Notice of Public Hearing for May 17, 2021

## **FUTURE AGENDA ITEMS**

## **ADJOURNMENT**

There being no further business before the Knightsen Town Advisory Council, Chair Steudle adjourned the meeting at 9:08pm. The March Knightsen TAC meeting will be cancelled. The next regularly scheduled Knightsen Town Advisory Council meeting on June 15, 2021 at 7:30p.m. and location to be determined due to Covid-19.

# CONTRA COSTA COUNTY ZONING ADMINISTRATOR

MONDAY, MAY 17, 2021  
30 MUIR ROAD  
MARTINEZ, CA 94553

RECEIVED

MAY 12 2021

\*\*\*1:30 P.M.\*\*\*

BY: \_\_\_\_\_

To slow the spread of COVID-19, the Health Officer's Shelter Order of March 10, 2021, prevents public gatherings (Health Officer Order). In lieu of a public gathering, the County Zoning Administrator will be accessible live online or by telephone to all members of the public as permitted by the Governor's Executive Order N29-20.

Zoning Administrator meetings can be accessed live either online or by telephone.

ACCESS THE MEETING LIVE ONLINE AT:

**<https://cccouny-us.zoom.us/j/83679935308>**

Meeting ID: 836 7993 5308

ACCESS THE MEETING BY TELEPHONE AT (888) 278-0254 FOLLOWED BY ACCESS CODE 198675##.

When accessing the meeting online by computer, you will be asked to either install a plug-in or to join by web browser. When accessing the meeting online by mobile device, you will be prompted to install an application.  
PERSONS WHO WISH TO ADDRESS THE ZONING ADMINISTRATOR DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA MAY DO SO EITHER ONLINE OR BY TELEPHONE. IF ACCESSING THE MEETING ONLINE, REQUEST TO SPEAK BY CLICKING THE "RAISE HAND" FUNCTION. IF ACCESSING THE MEETING BY TELEPHONE, REQUEST TO SPEAK BY DIALING #2.

PUBLIC COMMENTS MAY ALSO BE SUBMITTED BEFORE THE MEETING BY EMAIL AT [planninghearing@dcd.cccounty.us](mailto:planninghearing@dcd.cccounty.us) OR BY VOICEMAIL AT (925) 655-2858

All commenters will be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. Your patience is appreciated.

If you wish to view the meeting only, but not participate, the meeting can be viewed at [http://contra-costa.granicus.com/ViewPublisher.php?view\\_id=13](http://contra-costa.granicus.com/ViewPublisher.php?view_id=13).

NOTICE: The Zoning Administrator may alter the order of agenda items at the meeting.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Danielle Kelly at least 48 hours before the meeting at (925) 655-2858

1. PUBLIC COMMENTS:

2. APPEAL NOTIFICATION OF FINE: PUBLIC HEARING

- 2a. MELBA D MYGRANT TRE (Owner)- This is an appeal hearing for a Notice of Fine that was issued for Code Enforcement Case BIRF19-00485. This case is for violations of Lazy M Marina operating in non-compliance of the land use permit LP97-2091. Associated violations include the operation of a recreational vehicle (RV)/travel trailer storage not in compliance with the land use permit and shipping containers used as storage buildings. Also, several buildings were constructed without building permits, to include the installation of a manufactured home used as a residence, two public restroom buildings, a snack bar building/trailer, a garage and two covered boat storage buildings. The subject property is located at 5050 Clifton Court in the Discovery Bay area. (Zoning: (A-3) APN: 001-031-022) CF Staff Report

3. LAND USE PERMIT: CONTINUED PUBLIC HEARING:

- 3a. ANTHONY LOFORTE (Applicant & Owner); County File #CDLP20-02044: A request for approval of a Land Use Permit to allow the maximum resident capacity to go from 6 to 12 for the Alhambra Valley Retreat, an existing 24 hour residential treatment program for adult males suffering from alcohol and/or substance abuse, which is currently licensed and certified by the State of California, Department of Health Care Services. Minor interior and exterior improvements will be required to accommodate the change in occupancy type. The subject property is located at 77 Quail Lane in the unincorporated Martinez area of Contra Costa County. (Zoning: General Agricultural (A-2); APN: 365-110-022) DV Staff Report (continued from May 3, 2021)

4. MINOR SUBDIVISION:

- 4.a. MICHAEL DELAHOUSAYE (Applicant/Owner) County File #CDMS18-00009: The applicant is seeking approval of a vesting tentative map to subdivide a 1-acre property into two parcels ("A" & "B"), consisting of 21,041 and 22,831 square-feet in area respectively. The project includes a variance request for substandard average parcel width (103 feet proposed where 120 feet is required) for Parcel B. Additionally, the project includes exception requests to forego frontage improvements, undergrounding existing utility poles, and Collect and Convey requirements of the County Ordinance code. A tree permit is requested for the removal of one code-protected tree, and dripline encroachment for an additional 20 code-protected trees for driveway/utility extensions to the area of proposed parcel B. Lastly, the project includes a design review for a new 4,833 square-foot single-family residence in the area of proposed parcel B. The subject property is located at 166 Crest Avenue in the Alamo area. (Zoning: R-20 Single-Family Residential) (APN: 188-241-017). AV Staff Report

5. DEVELOPMENT PLAN: PUBLIC HEARING

- 5a. KHALIF AUSTIN (Applicant & Owner), County File #CDDP19-03011: An application for a Kensington Design Review Development Plan for the construction of a two story, 3,624-square-foot single-family residence with a 615-square-foot attached garage with a variance to allow a 14-foot front yard, where 20 feet is required, for a concrete walkway and a tree permit to work within the dripline of a 36-inch code-protected pine tree. The subject property is located at 18 Highgate Road in the Kensington area. (Zoning: Single-Family Residential (R-6), Tree Obstruction of Views (-TOV), and Kensington (-K) Combining Districts) (APN: 572-231-010) GF Staff Report

6. LAND USE PERMIT: PUBLIC HEARING:

- 6a. ROBERT SCHWENKE (Applicant) & VERA CORT (Owner); County File #CDLP18-02021: A request for approval of a Land Use Permit and Development Plan to allow the reconstruction of the Knightsen Saloon, an original building to the Knightsen Historic District, and to allow alcohol sales, takeout food, outdoor seating, and for the required off-street parking to be located on the adjacent parcel. The project includes Variance requests to allow a 0-foot front yard setback (where 10-feet is the minimum) for the saloon building, and Variance requests to the off-street parking requirements for surfacing, striping and markings, landscaping, and minimum distance from intersection to closest parking stall. The project also includes a request for approval of a Tree Permit to allow the removal of four code-protected trees and to work within the dripline of two code-protected trees. The project also includes an exception request to Title 9, Division 914 requirements to Collect and Convey. The subject properties are located at 3055 and 3041 Knightsen Avenue in the Knightsen area of unincorporated Contra Costa County. (Zoning: Retail Business (R-B); APNs: 020-073-004 & -005). DV Staff Report

\*\*3:30\*\*

1. PUBLIC COMMENTS:

2. SCOPING SESSION: PUBLIC HEARING:

- 2a. MARSHALL TORRE, SUMMERHILL HOMES (Applicant) – SAM MENDES (Owner), County Files # CDRZ21-03258, CDS21-09559, CDDP21-03001: This is a Scoping Session to accept public comments in determining the scope and content of an Environmental Impact Report (EIR) that is to be prepared for the Oak Road Townhouse Condominium project. The proposed project is requesting approval of a rezoning of

the project site to a Planned Unit District (P-1), subdivision of the project site into 19 residential lots, and a development plan to allow the following: demolition of the existing improvements (buildings, foundations, asphalt, concrete, fence poles, landscaping); removal of approximately 74 onsite trees, relocation of one valley oak tree, and preservation of six off-site trees; construction of 19 three-story buildings, 45 feet in height, on 129,373 square feet (292,965 total gross square feet) consisting of 125 units, including 10 inclusionary units on-site; installation of approximately 64,686 square feet of landscaped areas; 319 auto parking spaces (278 onsite spaces and 41 street frontage spaces); internal streets, courts, walkways, and drainage improvements; off-site improvements including installation of parking stalls along Oak Road and Jones Road; and grading of approximately 9,300 cubic yards of cut and approximately 6,700 cubic yards of fill. The project site is approximately 5.94 acres addressed as 2740 Jones Road in the unincorporated Walnut Creek area of the County. (Zoning: M-17 Multiple-Family Residential District, M-29 Multiple-Family Residential District, R-15 Single-Family Residential District) (Assessor's Parcel Numbers: 172-012-001, -007, -025, -026, -021, -008, -023, and -020 ) CEQA: This is a hearing to allow the Zoning Administrator to accept public comments/concerns in determining the scope and content of an Environmental Impact Report (EIR) that is to be prepared for the Oak Road Townhouse Condominium project. JC Staff Report

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, JUNE 7, 2021.

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RECEIVED

MAY 17 2021

May 17, 2021

Diane Burgis  
3361 Walnut Blvd.  
Brentwood, CA 94513

BY: \_\_\_\_\_

RE: 1180 Quail Trail

Dear Diane;

I am writing to you in hopes you will guide us in implementing a way to stop the agricultural properties who are charging an unauthorized venue fee or like the one I am referencing, an 8 band event, \$350 VIP tables, \$1,000 dance contest without any licensing or permits.

1180 Quail Trail has been an ongoing problem in my community. Over the past few years there has been drug busts, homicide/suicide, roosters exceeding the county allowable amount, unfit and noncompliance construction to house people. The latest, without any regard to authority or law, another huge event was planned. My #1 concern with these events is safety. The safety for my neighbors and of the attendees. The event was expected to bring up to 1,000 people. The location of the event is on a single lane private road. On May 19, 2021, during Mother's Day brunch, at my home I noticed black smoke billowing from the back. My husband, son in law and myself immediately drove down to 1180 Quail Trail. We began pulling horses (which were in a locked shelter where the fire was) and putting out the fire while waiting for the fire department, which my husband took a video because he had surgery the week prior. If we had not gone down there, on the windy day and dry conditions, I can assure you the fire would have had a much different outcome. The 2 days prior to the event, 2 stages were built, which I will assume was to hold these exceptionally large bands to perform or dance competition. From the photos they do not appear to look sound to hold multiple people. In most cases an event like this would require liquor license, security, environmental health, building department, permits, appropriate federal, state and sales taxes, etc.

Unfortunately, yesterday we had an incident where a lady, with kids in the car, accelerated toward a group of neighbors and struck a 67-year-old man. If it was not for his quick thinking for him to jump up and land on the hood, I was expecting to see a catastrophic result. This neighbor is an overly sweet man, often referred to as a horse whisperer, who makes his living training and judging equine events. The result of his injuries was an injured knee. The lady took off, did not check if he was ok, and at least 12 to 15 people witnessed the event and enough is enough.

Since we made everyone aware of the event before it happened, we were incredibly grateful to see Mr. Losado and the Sheriff's department parked on our street by noon. Mr. Losado was escorted by the Sheriff to 1180 Quail Trail then and came back and reported to us the people would cancel the event. My neighbors and I had just paid \$25,000 to reseal our private road, completed the day prior, we cover the costs as it is not a county-maintained road. We needed to limit traffic to a minimum to residents and not attendees who would now be just turning around in our driveways and back out again. Around 2:00, hundreds of cars showed up, which we conveyed the news that the event had been cancelled. The owner had no intentions of cancelling as he came out and we had a huge confrontation. He wanted us to let the cars all come in. Again, we called Sheriff and Mr. Losado back out to the property. There was cars lined up down Eden Plains trying to get in, 2 Sheriff cars, people in cars drinking and smoking weed



all who wanted to go party, or wanted their money back over the cancelled event, the owner of the property yelling.

As a neighborhood, we should not have to be vigilantes to protect ourselves. These events that are continuing in Knightsen, non-permitted, is not fair to those who comply with the rules. I know on multiple occasions; McCauley has had issues on their event and being drawn out by a neighboring parcel having a non-permitted event's band during vows and having to offer a refund of money. We are hoping no recourse for our safety from this problem neighbor, however based on his cost of admission appears he lost hundreds of thousands of dollars. This parcel has been doing this the past 4 year and we have had enough. We need someone to stand up and fight for the rights of people who are at risk from the constant offenders who just do not listen to authority.

We have no noise ordinance, the sheriff department said their hands are tied, so we really do not understand why these events continue to happen without any fines or arrests. It's to bad it took one of my neighbors being hit by a car, which if the lady driving isn't fully arrested, it will be another thing they have gotten away with.

Then entire day included CHP officers, Sherriff department and Joe Lasado from Code Enforcement. Even though it was a Sunday, Joe spent many hours, many visits with us, and going back to 1180 Quail Trail assuring us they would not be able to hold the event, which we so appreciate. Please advise on next steps.

Respectfully,

Wayne and Lori Abreu

Cc: Code Enforcement  
KTAC

**Subject:** 303 Blaine Lane, Knightsen  
**Date:** Sunday, June 6, 2021 at 1:06:49 PM Pacific Daylight Time  
**From:** Paul Kunkel  
**To:** Supervisor\_Burgis  
**CC:** John Kopchik, jocelyn.stortz@cchealth.org, Brian Helmick, Kim Carone, Karen Reyna, Lea Castleberry, Maria Jehs, Mary Ann Mason, Andrew Steudle, Trish Bello-Kunkel  
**Attachments:** 303 Blaine Lane Knightsen\_Cummulative Evidence Photos.pdf, Letter to Supervisor Burgis\_303 Blaine Lane\_20210606.pdf

Attached please find our letter and cumulative photo evidence of our complaints/concerns.

Regards,  
Paul Kunkel  
Trish Bello-Kunkel

June 6, 2021  
Paul Kunkel  
Trish Bello-Kunkel  
P.O. Box 62  
Knightsen, Ca 94548  
[Kunkel1962@yahoo.com](mailto:Kunkel1962@yahoo.com)  
[trishbk@yahoo.com](mailto:trishbk@yahoo.com)

SENT VIA ELECTRONIC MAIL

Dear Supervisor Diane Burgis,

We are writing to you regarding a property located at 303 Blaine Lane in Knightsen. The property is owned by Angel and Maria Pena. There is no residence on the property. Mr. and Mrs. Pena obtained a permit to construct a "Pre-fabricated steel building (Barn) to store food for livestock and tractor equipment. Approx. 5,000 sq. ft." The permit number is BIMIR19-012832.

According to information on the Building Inspection website, the permit for this construction has expired, and the construction has never passed final inspection. Final has been held "due to relocation of building from permitted site plan and additional impervious surface total approx. 11,000 sq. ft," as well as pending CalGreen report and receipts.

We have **many concerns about subject property**. The Pena's have been using the structure since Summer 2020 when the so-called "barn" structure was completed. However, they do not use the barn for "agricultural" activities. Instead, **they routinely use the structure to host parties and events involving many people including children's birthday parties**. Several of their parties and events have well exceeded 75 people.

They ostensibly obtained a permit to build an agricultural building and as recently as 1/19/21, Ms. Pena stated during a Knightsen Town Advisory Council meeting that the building is being used to store livestock food and tractors. This is false. They are not using the structure to store food for livestock or to store tractor equipment. They have three ponies on the property, but when they provide hay to the ponies, it is stored outside, not inside the structure.

Besides the approximately 11,000 sq. ft. of concrete poured around the structure without a permit, they are now expanding the impervious or semi-pervious area around the structure by installing pavers around the area that is already under concrete. **Everything they are doing is incompatible with using the structure for agricultural purposes**. They have affixed a stone façade to the building. The concrete they poured is decorative, stamped concrete. Along with the pavers, they have installed firepits with seating areas. They planted palm trees all around the structure. **It is abundantly clear that they constructed an event center and that is what the structure is being used for**. Furthermore, the ever expanding impervious and semi-pervious area poses hazards regarding drainage onto neighboring properties. This is another concern we have already brought to the attention of your building department in an email/letter to John Kopchik on October 2, 2020. It was because of our previous email/letter that the building department became aware of the approximately 11,000 sq. ft. of poured concrete.

Neighbors have complained about the noise and traffic resulting from the recurring parties and events. Numerous complaints have been filed with Code Enforcement. The Pena's have installed powerful solar powered lights on the structure that they leave on all night creating a light pollution nuisance for neighbors.

There is no electrical supply to the structure. Instead, the Pena's use generators to produce power. The well on the property has also not passed final inspection. There is no fire suppression capability. There is no septic system. They sometimes use porta-potties when they have events on the property.

Their use of the structure and the area surrounding the structure for parties and events is well documented in pictures and videos that the Pena's themselves have repeatedly posted on Facebook. We have included several screen shots of these parties and events taken from their Facebook posts. The most recent one was held on June 5, 2021. These pictures also demonstrate that the building is obviously not being used for agricultural purposes. Despite all the photographic evidence generated by the Pena's, there never has been ANY evidence of livestock feed or agricultural equipment stored in the "barn." As of this letter, there are at least 4 vehicles and 2 jet skis stored in the "barn".

The County has repeatedly been made aware that this property and the structure are being used for parties and events including children's birthday parties with "bouncy" houses inside the structure. **It is our understanding that public agencies such as Contra Costa County require permits to ensure that buildings meet public safety standards.**

**It is completely incomprehensible how the County can knowingly allow these parties and events to repeatedly take place even though the structure is being used for purposes incompatible with the original permit application and the permit for the structure has expired and the structure has not passed final inspection. The County should be extremely concerned about the potential for liability knowing that these events (especially the parties involving young children) are taking place yet the structure has not been inspected and approved. It has not even been inspected and approved as an AG building let alone as a party and event center.**

We as well as other neighbors are remarkably familiar with the hoops and hurdles that County Building Inspection usually demands property owners jump through and over to construct or remodel buildings. **We do not understand why the County seems to be turning a "blind eye" in this case.** There seems to be a double standard in the case of 303 Blaine Lane. We do not understand why.

Additionally, since we are now in the hot summer months, **we are extremely concerned about the fire danger posed by the property.** Aside from the area around the structure, the property has become overgrown with weeds. We understand that other neighbors have reported this to the Fire District, but to date the property remains a tremendous fire hazard. As previously stated, the Pena's do not have electricity on the property. They use gasoline powered generators to run lights, to extract water from their unfinished well, and to run other equipment. They use open flame barbecues and propane heat lamps, even inside the structure, when they hold their events and parties. Large numbers of vehicles drive onto and are parked on the property when they have their events/parties. They routinely operate a large off-road vehicle on the property. **The generators, vehicles and open fires are all ignition sources on the overgrown property.**

If they have a fire, they do not have fire suppression capability. As previously stated, the unfinished, well does not have an electrical source other than a gas operated generator. On numerous occasions we have observed people on the property struggling to extract water from the unfinished well. The property poses a fire hazard to the Pena's themselves as well as all neighboring property owners including our two properties to the East and Northeast of the Pena property.

Lastly, a factor that we believe should be a concern to the County is that since the permit on the structure has never been finalized, we understand that the County is not realizing any tax revenue from the structure. We think the County should have an interest in having the structure receive final approval so that the County can receive the tax revenue. However, final approval should only be as an AG building since that was the original permit application.

**We implore you to put a STOP to all of this immediately:**

- 1) The owners should be mandated to not use the structure and surrounding patio areas until after final inspection and final approval.**
- 2) Once the property receives final approval, use of the structure should be confined to the original purpose stated in the permit application, "to store food for livestock and tractor equipment."**
- 3) The owners should be mandated to not use the well until final inspection and final approval on the well.**
- 4) Given the expansive areas that are under concrete and/or pavers, the County needs to ensure that proper drainage is accounted for and that neighboring properties will not be affected by runoff from the property.**
- 5) The Pena's should be required to eliminate the fire hazard posed by the property. Their weeds need to be removed and they should be prohibited from operating generators and other equipment that could spark a fire. They should be prohibited from having large numbers of vehicles driving on and parking on the property. They should have an adequate water source available in the event a fire is ignited.**

Everything that has been going on at 303 Blaine Lane heightens our concerns as well as other neighbors' concerns about future development on the property. In 2020, the Pena's submitted plans to construct a 16,000 sq. ft. home on the property. All neighbors within 300 feet received notice and were offered the opportunity to request a hearing with the Zoning Administrator. Every neighbor, except one, expressed concern in writing and requested a hearing. Apparently, the Pena's plans have stalled, and that hearing has never taken place. One of our chief concerns about a 16,000 sq. ft. home is that it will be used for large scale events and parties. Their ongoing use of the barn as a party and event facility lends substantial credence to our concern about the intended use for their proposed mega-mansion.

Please consider our concerns and take appropriate action immediately.

Sincerely,

Paul Kunkel and Trish Bello-Kunkel

Enclosures: 303 Blaine Lane, cumulative photo evidence

Cc: John Kopchik, Director of Dept of Conservation and Land Development  
Mary Ann McNett Mason, County Counsel  
Jocelyn Stortz, Contra Costa Environmental Health Director  
Brian Helmick, Chief of East Contra Costa County Fire District  
Knightsen Town Advisory Council

Party at 303 Blaine Lane Knightsen — June 6, 2021



Angel Pena, (LEFT) co-property owner





Party at 303 Blaine Lane Knightsen –  
May 16, 2021





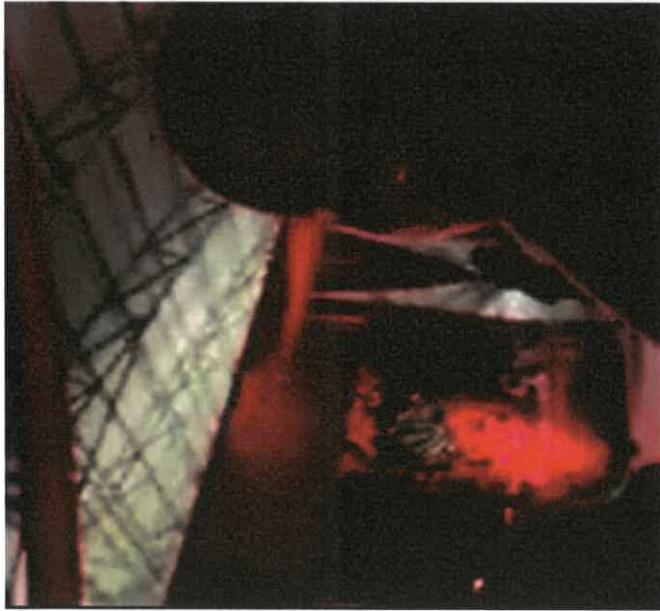
303 Blaine Lane Knightsen – Used as storage for vehicles and watersports toys and entertainment, not intended for storage of livestock food and tractors.



3 porta potties brought in for event

# Party at 303 Blaine Lane Knightsen – March 24, 2021





Maria and Angel Pena – property owners

## Party at 303 Blaine Lane Knightsen – February 13, 2021

303 Blaine Lane Knightsen, Ca – 1/1/21 Birthday & New Year's Eve Party

Property Owners at the Party: Jose Angel & Maria Pena



303 Blaine Lane Knightsen, Ca – Party 11/21/20 Unfinished Barn



Parcel has no electricity. Using generator to illuminate barn and gas heating lamps.

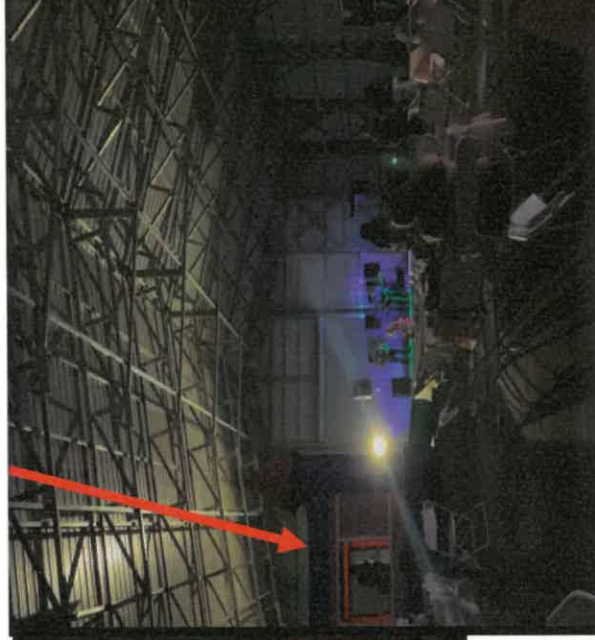


303 Blaine Lane, Knightsen  
Party 10/17/20

Note: "Ag Building" permit has not been finalized.

Property Owners at  
Party: Jose Angel &  
Maria Pena

Bouncing House



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\*\*\*REVISED\*\*\*

BY: \_\_\_\_\_

**CONTRA COSTA COUNTY ZONING ADMINISTRATOR**

**MONDAY, JUNE 7, 2021**

**30 MUIR ROAD  
MARTINEZ, CA 94553**

\*\*\*1:30 P.M.\*\*\*

To slow the spread of COVID-19, the Health Officer's Shelter Order of March 10, 2021, prevents public gatherings (Health Officer Order). In lieu of a public gathering, the County Zoning Administrator will be accessible live online or by telephone to all members of the public as permitted by the Governor's Executive Order N29-20.

Zoning Administrator meetings can be accessed live either online or by telephone.

**ACCESS THE MEETING LIVE ONLINE AT:** <https://cccouny-us.zoom.us/j/84347173039>

**Meeting ID: 843 4717 3039**

**ACCESS THE MEETING BY TELEPHONE AT (888) 278-0254 FOLLOWED BY ACCESS CODE 198675##.**

When accessing the meeting online by computer, you will be asked to either install a plug-in or to join by web browser. When accessing the meeting online by mobile device, you will be prompted to install an application.  
PERSONS WHO WISH TO ADDRESS THE ZONING ADMINISTRATOR DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA MAY DO SO EITHER ONLINE OR BY TELEPHONE. IF ACCESSING THE MEETING ONLINE, REQUEST TO SPEAK BY CLICKING THE "RAISE HAND" FUNCTION. IF ACCESSING THE MEETING BY TELEPHONE, REQUEST TO SPEAK BY DIALING #2.

PUBLIC COMMENTS MAY ALSO BE SUBMITTED BEFORE THE MEETING BY EMAIL AT [planninghearing@dcd.cccounty.us](mailto:planninghearing@dcd.cccounty.us) OR BY VOICEMAIL AT (925) 655-2860

All commenters will be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. Your patience is appreciated.

If you wish to view the meeting only, but not participate, the meeting can be viewed at [http://contra-costa.granicus.com/ViewPublisher.php?view\\_id=13](http://contra-costa.granicus.com/ViewPublisher.php?view_id=13).

NOTICE: The Zoning Administrator may alter the order of agenda items at the meeting.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Danielle Kelly at least 48 hours before the meeting at (925) 655-2860.

1. PUBLIC COMMENTS:

2. APPEAL NOTIFICATION OF FINE: CONTINUED PUBLIC HEARING

- 2a. BRIAN STEINBERG (Owner), County File # BIRF18-00954): This is a hearing on the appeal for a Notice of Fine issued in the amount of \$14,300.00, at the property located at 3163 Willow Road, Bethel Island. (APN 029-120-020) (Zoning: F-1) The Notice of Fine was issued as part of a code enforcement case for activity in violation of Title 8 of the Contra Costa County Ordinance (Continued from 03.01.2021 LC) CF Staff Report
- 2b. ELENO & ALEX SAUCEDO (Owners), County File # BIRF19-00288: This is a hearing on the appeal for the Notice of Fine issued in the total amount of \$14,300.00, at the property located at 50 Broadway Road, Bethel Island. (APN 032-040-028) (Zoning: A-2) The Notice of Fine was issued as part of a code enforcement case for activity in violation of Title 8 of the Contra Costa County Ordinance (Continued from 03.15.2021 LC) CF Staff Report



3. LAND USE PERMIT: PUBLIC HEARING

- 3a. AT&T, C/O CARL JONES (Applicant) - KEITH AND DANA FREITAS (Owners), County File #CDLP21-02002: This is a land use permit amendment application to allow the construction and operation of an approved wireless telecommunications facility (County File #CDLP14-02069) approximately 300 feet south of the originally approved location, at the southwestern corner of the subject property. The project includes the installation of (1) 85-foot-tall mono-eucalyptus tree tower that can support up to three wireless service providers, (12) panel antennas, (12) remote radio units (RRU's), and associated equipment installed on the tower (including radio frequency alerting signage at the base of the pole). In addition, the project includes the installation of (1) 8-foot by 8-foot walk-in closet equipment shelter mounted on a new concrete pad, (1) 30kW diesel emergency backup generator with a 190-gallon belly tank, and associated equipment within a new 23-foot by 34-foot AT&T fenced lease area within a 45-foot by 30-foot AT&T multi-carrier compound lease area. The subject property is located at 8651 Camino Tassajara in the Danville/Pleasanton area of unincorporated Contra Costa County. (Zoning: A-2, General Agricultural District) (Assessor's Parcel Number: 223-060-001) SJ Staff Report
- 3b. AMERICAN TOWER, C/O JOHN MERRITT (Applicant) - CONTRA COSTA WATER DISTRICT (Owner), County File #CDLP20-02054: A request for approval of a land use permit to allow the renewal of expired Land Use Permit #CDLP08-02001, for the continued operation of an existing wireless telecommunications facility. Verizon Wireless is presently leasing space on the existing tower (owned by American Tower) and no modifications to the existing facility are proposed at this time. The subject property is located at 17521 CA Route 4 in the Discovery Bay area of unincorporated Contra Costa County. (Zoning: A-3, Heavy Agricultural District) (Assessor's Parcel Number: 008-340-036) SJ Staff Report

4. COMPLIANCE REVIEW: PUBLIC HEARING

- 4a. BRIAN BIGELOW (Applicant) - CHRISTINE AND GEE WING BUCK TRE (Owner), County File #CDCV19-00063 (CDMS05-00013): The applicant requests approval of a modification to the conditions of approval for the Vesting Tentative Map approved under County File CDMS05-00013. Pursuant to CEQA guidelines, section 15162, an addendum to the previously adopted Mitigated Negative Declaration has been prepared for the project. The subject property is located at 501 Pine Creek Road in the unincorporated Walnut Creek area. (Zoning: R-40 Single-Family Residential District) (APN: 138-230-002) JL Staff Report

5. PLANNING CONSIDERATION: NOTICE OF DETERMINATION

- 5a. DAVID DORROH (Applicant) - DUPONT MECS (Owner), County File #PC21-0006: This is a Notice of Determination of Non-coverage pursuant to Section 84-63.806 of the County Hazardous Material Ordinance. The purpose of the project is to allow Dupont MECS to receive and store sulfuric acid external from that supplied from the Marathon Refinery. As a result, MECS will no longer be using their 500-gallon day tank and associated pipeline from Marathon. A new truck unloading station will be installed along with new piping and a new pump to transfer the sulfuric acid into a new 5,600-gallon storage tank. However, no changes are anticipated in the amount of material processed through the facility. Sulfuric acid is classified as a hazard category "B" material according to Section 84-63.1016, and the scoring was determined to be 73. As a result, it requires notification of Determination of Non-Coverage but it does not require a land use permit.
- An appeal for this Determination of Non-Coverage may be filed within ten calendar days of the date the determination is listed on the Zoning Administrator's agenda or ten calendar days from the date of publication. Site is located at 1778 Monsanto Way, in the Martinez area. (Zoning: Heavy Industrial) (Assessor Parcel Number (APN): 159-120-039).

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, JUNE 21, 2021.

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COUNTY PLANNING COMMISSION BY: \_\_\_\_\_

CONTRA COSTA COUNTY

WEDNESDAY, JUNE 9, 2021

30 MUIR ROAD

MARTINEZ, CALIFORNIA 94553

CHAIR: Kevin Van Buskirk  
VICE-CHAIR: Bhupen Amin  
COMMISSIONERS: Jeffrey Wright, Donna Allen, Bob Mankin, Ross Hillesheim, Sanjiv Bhandari

NOTICE: Commission may change the order of items on the agenda at the beginning of the meeting.

*To slow the spread of COVID-19, the Health Officer's Shelter Order of March 10, 2021, prevents public gatherings (Health Officer Order). In lieu of a public gathering, the County Planning Commission meeting will be accessible via television and live-streaming to all members of the public as permitted by the Governor's Executive Order N29-20.*

Commission meetings can be accessed live either online or by telephone. ACCESS THE MEETING LIVE ONLINE AT:

<https://cccouny-us.zoom.us/j/85432605117>

Meeting ID: 854 3260 5117

ACCESS THE MEETING BY TELEPHONE AT (888) 278-0254 FOLLOWED BY ACCESS CODE 198675##.

*When accessing the meeting online by computer, you will be asked to either install a plug-in or to join by web browser. When accessing the meeting online by mobile device, you will be prompted to install an application. If you need assistance with your All commenters will be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting audio, please dial 888-796-6118. If you need assistance with your online access, please dial 888-793-6118.*

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. The Commission Chair may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. Your patience is appreciated.

\*\*\*\* 6:30 P.M. \*\*\*\*

1. PUBLIC COMMENTS:
2. PUBLIC HEARINGS: GENERAL PLAN AMENDMENT, REZONING, SUBDIVISION & DEVELOPMENT PLAN
- 2a. FT LAND, LLC (Applicant) - FT LAND, LLC; MEACH, LLC; BI LAND, LLC; TH LAND, LLC (Owners), County Files #GP07-0009, #RZ09-3212, #SD10-9280, #DP10-3008: CONSIDER request for General Plan amendment, rezoning, vesting tentative map, development agreement, and preliminary and final development plan. The applicant proposes to construct the Tassajara Parks project. To allow for the project the applicant requests approval of an amendment to the County General Plan to modify the boundary of the Urban Limit Line by way of placing a 30-acre area within the Urban Limit Line; map amendments to the Land Use Element of the General Plan to change the land use designation of the project site from Agricultural

Lands (AL) to Single-Family Residential High Density (SH), Parks and Recreation (PR), and Public/Semi-Public (PS); a rezone of the project site from an Exclusive Agricultural (A-80) district to a project-specific Planned Unit (P-1) district; a vesting tentative map to subdivide the project site into 125 single-family residential lots and various open space and special use parcels; exceptions to the following provisions of Title-9 (Subdivisions): 1) frontage improvements and pavement widening, 2) street lights within one mile of an existing school, 3) frontage improvements on the side or sides of the roadway adjacent to a subdivision, 4) sidewalks within one mile of an existing school, 5) placement of overhead utility distribution facilities underground, and 6) collect and convey drainage standards; a Preliminary and Final Development Plan to allow: 1) development of 125 single-family residential lots, 2) roadway and infrastructure improvements, 3) grading activities of approximately 300,000 cubic yards for site preparation and mitigation of landslide hazards, and 4) offsite circulation improvements at the Tassajara Hills Elementary School parking lot; a Tree Permit to remove up to 19 code-protected trees; a Development Agreement between Contra Costa County and FT Land LLC; and a Preservation Agreement between Contra Costa County, the City of San Ramon, and the East Bay Regional Park District. An environmental impact report was prepared for this project pursuant to the California Environmental Quality Act. [Zoning: Exclusive Agricultural (A-80), APNs: 220-100-023, 206-030-065, 223-020-018, 223-020-021] ST [Staff Report](#)

3. STAFF REPORT:
4. COMMISSIONERS' COMMENTS:
5. COMMUNICATIONS:

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE ON WEDNESDAY, JUNE 23, 2021.

# CONTRA COSTA COUNTY ZONING ADMINISTRATOR

MONDAY, JUNE 21, 2021

30 MUIR ROAD

MARTINEZ, CA 94553

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BY: \_\_\_\_\_

\*\*\*1:30 P.M.\*\*\*

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Meeting ID: 876 2990 4616

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1. PUBLIC COMMENTS:
2. APPEAL NOTIFICATION OF FINE: CONTINUED PUBLIC HEARING
- 2a. MELBA D MYGRANT TRE (Owner)- This is an appeal hearing for a Notice of Fine that was issued for Code Enforcement Case BIRF19-00485. This case is for violations of Lazy M Marina operating in non-compliance of the land use permit LP97-2091. Associated violations include the operation of a recreational vehicle (RV)/travel trailer storage not in compliance with the land use permit and shipping containers used as storage buildings. Also, several buildings were constructed without building permits, to include the installation of a manufactured home used as a residence, two public restroom buildings, a snack bar building/trailer, a garage and two covered boat storage buildings. The subject property is located at 5050 Clifton Court in the Discovery Bay area. (Zoning: (A-3) (APN: 001-031-022) (Continued from 05.17.2021 AMB) CF Staff Report

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON WEDNESDAY, JULY 7, 2021.